

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANTS: Harry and Arlene Kinowski
DOCKET NO.: 03-22501.001-R-1
PARCEL NO.: 09-14-406-004-0000

The parties of record before the Property Tax Appeal Board are Harry and Arlene Kinowski, the appellants, by attorney Rusty A. Payton of the Law Offices of Rusty A. Payton, P.C., Chicago, Illinois; and the Cook County Board of Review.

The subject property consists of a 38-year old, one-story masonry dwelling containing 1,122 square feet of living area with a full, unfinished basement, central air conditioning, and a two-car garage.

The appellants submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process as the basis of the appeal. In support of the equity argument, the appellants submitted a grid analysis detailing four suggested comparable properties. On the appellants' map, the comparables are located in the same general area as the subject. The comparables are one-story masonry or frame and masonry dwellings that are 44 to 54 years old. One comparable has an unfinished basement; one has a partial basement; and two have no basements. One comparable has a fireplace, and two have central air conditioning. Information on garages was not disclosed, but photographs supplied by the appellants indicate that at least one comparable has a one-car garage. The comparables contain 1,162 to 1,368 square feet of living area and have improvement assessments of \$9.03 to \$9.60 per square foot. The subject property has an improvement assessment of \$15.02 per square foot. Based on this evidence, the appellants requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's assessment was disclosed. In support of the subject's assessment, the board of review offered

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	5,089
IMPR.:	\$	16,851
TOTAL:	\$	21,940

Subject only to the State multiplier as applicable.

PTAB/BRW

property characteristic sheets and a spreadsheet detailing four suggested comparable properties that are located in the same tax block as the subject property. The comparable properties consist of one-story masonry dwellings that are 36 to 38 years old. Three of the comparables have full, unfinished basements, and one has a full, finished basement. Three comparables have central air conditioning, and three have a garage, either one-car or two-car. The dwellings contain 1,104 to 1,122 square feet of living area and have improvement assessments of \$15.65 to \$16.67 per square foot. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Property Tax Appeal Board further finds that a reduction in the subject's assessment is not warranted. The appellants' argument was unequal treatment in the assessment process. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellants have not overcome this burden.

Both parties presented assessment data on a total of eight equity comparables. The appellants' comparables three and four differed in age from the subject; comparables one and three differed in foundation; and comparable two differed in exterior construction. As a result, the appellants' comparables received reduced weight in the Board's analysis. Located in the same tax block as the subject, the board of review's comparables were most similar to the subject in location, age, and physical characteristics. These comparables had improvement assessments of \$15.65 to \$16.67 per square foot and support the subject's improvement assessment of \$15.02 per square foot. After considering adjustments and the differences in both parties' suggested comparables when compared to the subject property, the Board finds the subject's per square foot improvement assessment is supported by the most comparable properties contained in the record and a reduction in the subject's assessment is not warranted.

As a result of this analysis, the Property Tax Appeal Board finds the appellants have not adequately demonstrated that the subject dwelling was inequitably assessed by clear and convincing evidence and a reduction is not warranted.

This is a final administrative decision of the Property Tax Appeal Board are subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: September 28, 2007



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing

complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.